

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

Criminal No.  
04-10146-WGY

\* \* \* \* \*  
UNITED STATES OF AMERICA  
v.  
ROBERT RAMOS  
\* \* \* \* \*

SENTENCING EXCERPT

BEFORE: The Honorable William G. Young,  
District Judge

1 Courthouse Way  
Boston, Massachusetts

July 25, 2005

1           **THE COURT:** Mr. Robert A. Ramos, in consideration  
2 of the factors set forth in 18 United States Code, Section  
3 3553, the advisory guidelines, the information from the  
4 United States Attorney, your attorney, the probation officer  
5 and yourself, the Court sentences you to eight years in the  
6 custody of the United States Attorney General on each of the  
7 counts of conviction, the sentence on each count to run  
8 concurrent one with the other.

9           The Court imposes thereafter three years of  
10 supervised release. The Court imposes no fine on you due to  
11 your inability to pay a fine. The Court imposes a special  
12 assessment of \$300.

13           The special conditions of your supervised release  
14 are that you shall submit to the collection of a DNA sample  
15 as directed by the probation officer. You're prohibited  
16 from possessing a firearm or other dangerous weapon. You're  
17 to participate in a mental health treatment program as  
18 directed by the United States Probation Office. You're  
19 required to contribute to the costs of the services of such  
20 program. You shall demonstrate, you are required to  
21 demonstrate your attempts to comply with meeting your  
22 obligations with respect to any outstanding child support  
23 debt.

24           Let me explain this sentence to you. You've been  
25 ably represented by your attorney. I have carefully read

1 everything that I know about you. I am satisfied that you  
2 were at all material times suffering from a major depressive  
3 episode. I am further satisfied that the strong advice of  
4 congress, expressed through the United States Sentencing  
5 Commission, is that people who suffer from diminished  
6 capacity, who nevertheless commit crimes, are, I won't say  
7 entitled, but that Courts should take into account that  
8 diminished capacity.

9 On the other hand, the crime of which you stand,  
10 the crimes of which you stand convicted are, Mr. Ramos,  
11 horrific. Nothing in your allocution comes close to  
12 suggesting criminal assault, much less murder. This was a  
13 calculated plan to commit murder. Whatever the role of the  
14 other snitching individual, you, and I've, I've looked at  
15 these materials, you were talking and acting and taking  
16 steps to cause the murder of another human being to take  
17 place. You have got to come to terms with that.

18 This was no mistake. You say you were, you were  
19 beat. None of that is suggestive of the conduct that went  
20 on here. The sentence that the Court imposed is just. It  
21 is adequate under the circumstances, with the idea that you  
22 will get mental health counseling. I have, I have taken  
23 into account the entire record, the letters, your undoubted  
24 history of selfless devotion to your mother, and your more  
25 or less exemplary record as a corrections officer. But all

1 of that pales against a plan to commit murder.

2 This is the sentence of the Court. It is a just  
3 sentence. You'll have credit toward the service of this  
4 sentence from December 10th, 2003, on which date you were  
5 first held in federal custody.

6 You have the right to appeal from any findings or  
7 rulings the Court has made against you. Should you appeal  
8 and should your appeal be successful in whole or in part,  
9 the case will be resentenced before another judge.

10 Mr. Wilson?

11 **MR. WILSON:** Judge, may I ask for a designation of  
12 Fort Devens.

13 **THE COURT:** Yes, the Court will recommend Fort  
14 Devens.

15 Ms. Schulman?

16 **MS. SCHULMAN:** Your Honor, just to be clear, am I  
17 to understand that the sentence is one imposed under the  
18 guidelines with a downward departure for diminished  
19 capacity?

20 **THE COURT:** It is.

21 **MS. SCHULMAN:** Very well.

22 **THE COURT:** Thank you.

23 **MS. SCHULMAN:** Note the government's objection, but  
24 thank you, your Honor.

25 **THE COURT:** The government objects and of course

1 the government is informed of its right to appeal as well,  
2 though that's somewhat gratuitous, you know it.

3 But that, the record should be clear of the reasons  
4 the Court has acted. Those are the reasons. That's the  
5 sentence of the Court.

6 We'll call the next case. He's remanded to the  
7 custody of the marshals.

8 (Whereupon the matter concluded.)  
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